

REMARKS

Claims 1, 3-37, 57 and 59-62 were pending and presented for examination. In an Office Action dated August 25, 2008, all pending claims were rejected. Based on the above Amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

Response to Rejection Under 35 U.S.C. § 103(a)

Claims 1, 4-5, 8, 11, 17, 19, 34-37 and 57

Claims 1, 4-5, 8, 11, 17, 19, 34-37 and 57 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,633,723 to Sugiyama in view of U.S. Patent Publication No. 2003/0177240 A1 to Gulko. This rejection now is traversed.

Independent claim 1 as amended recites a printer comprising, inter alia, “a task policy manager for determining whether the printer will interact with [an] external processing system **as a master processor or as a slave processor to process [] one or more tasks**, the determination **based on a policy stored in association with the one or more tasks.**”

These aspects of the claimed invention are not disclosed or suggested by the cited references, considered alone or in the combination proposed by the Examiner. As a preliminary matter, the Examiner admits that Sugiyama does not disclose this element. *See* Office Action dated August 25, 2008, p. 4 (“Office Action” herein).

Gulko does not remedy deficiencies of Sugiyama for several reasons. Gulko merely discloses a system for parallelizing a software application (converting the software application into an adapted version that can be executed in parallel) using one or more “adapters” and executing the adapted software application. An adapter defines a template for

parallelizing a specific algorithm found in software applications, thereby providing a framework that enables a software developer to adapt the algorithm for parallel execution. *See* Gulko, [0047], [0052], [0088]. For example, parallelizable process 70 is adapted to create parallelized process 70'. *See* Gulko, FIG. 5. The parallelized process 70' includes multiple code segments 80a, 80a', 80a'', etc., with one code segment 80a designated as a *master code segment* and the others 80a', 80a'' designated as *slave code segments*. *See* Gulko, FIG. 6 and [0058]. Hence, Gulko does not disclose or suggest determining “**a master processor or as a slave processor**” as claimed, but rather discloses the creation of master and slave *code segments*.”

Gulko describes a LOad Balancing Sub-Task ExecuteR (“LOBSTER” engine) that manages operation of the adapters and distribution of code segments. *See* Gulko, [0049] and [0050]. However, the LOBSTER engine does not distribute code segments to processors **based on a stored policy**. To the contrary, any server may receive the master code segment as the LOBSTER engine distributes code segments among interchangeable processors based on *load balancing, fault tolerance, and system error* considerations. *See* Gulko, [0090]-[0094].

In fact, Gulko teaches away from designating a master processor by criticizing a designated master server as providing *a single point of failure* within a system. *See* Gulko, [0040]. Rather, Gulko recommends and emphasizes the advantages of *interchangeable* processors. *See* Gulko, [0041] and [0092]. Thus, determining a processor role based on a stored policy in association with a processing task as claimed is contrary to the teachings of Gulko.

For at least the above-stated reasons, Sugiyama and Gulko, alone or in combination, do not disclose or suggest at least the claimed feature of “**determining whether [a] printer will interact with [an] external processing system as a master processor or as a slave processor to process [] one or more tasks, the determination based on a policy stored in association with the one or more tasks.**” Hence, claim 1 is patentable over the cited references.

Dependent claims 4-5, 8, 11, 17, 19, 34-37 each incorporate all the limitations of claim 1 and are patentable over the cited references for at least the same reasons, and include additional patentably distinguishable limitations. Independent claim 57 is patentable over the cited references for above-discussed reasons.

Claims 3, 6-7, 9-10, 12-16, 18, 20-33, and 59-62

In the 4th-15th paragraphs of the Office Action, the remaining dependent claims have further been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sugiyama and Gulko in various combinations with U.S. Patent No. 6,308,887 B1 to Korman; U.S. Patent Application Publication 2003/0220988 A1 to Hymel; U.S. Patent No. 5,936,542 to Kleinrock; U.S. Patent Application Publication No. 2002/0010641 A1 to Stevens; U.S. Patent No. 6,296,693 B1 to McCarthy; U.S. Patent No. 5,170,935 to Federspiel; U.S. Patent No. 5,940,776 to Baron; and U.S. Patent No. 6,118,888 to Chino; U.S. Patent No. 5,568,406 to Gerber; U.S. Patent No. 5,270,989 to Kimura; U.S. Patent No. 5,136,363 to Takemasa; U.S. Patent No. 4,734,898 to Morinaga; and U.S. Patent No. 6,000,030 to Steinberg.

The cited references each fail to disclose or suggest the previously-discussed claim limitations, nor does the Examiner allege that the additional references show these claimed

aspects, but rather relies on them for various limitations recited in the dependent claims. Furthermore, the dependent claims recite additional elements that also are patentably distinguishable from all cited combinations of the above references. Therefore, Applicants respectfully request that the Examiner reconsider the rejections to the remaining dependent claims and withdraw them.

Conclusion

In sum, Applicants respectfully submit that claims 1, 3-37, 57, and 59-62, as presented herein, are patentably distinguishable over the cited references. Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them. In addition, Applicants respectfully invite the Examiner to contact Applicants' representative at the number provided below if the Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,
Peter E. Hart, Jonathan J. Hull, Jamey Graham and
Kurt Piersol

Date: November 25, 2008

By: /Jennifer R. Bush/
Jennifer R. Bush, Reg. No.: 50,784
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Tel.: (650) 335-7213
Fax.: (650) 938-5200